

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION))))	MDL NO. 1456 Civil Action No. 01-12257-PBS Subcategory No.: 07-12141-PBS
THIS DOCUMENT RELATES TO: <i>State of Iowa v. Abbott Laboratories, Inc., et al.</i>))))	Judge Patti B. Saris

**NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE OF PLAINTIFF'S CLAIMS
AGAINST DEFENDANTS MERCK & CO., INC.
(F/K/A SCHERING-PLough CORPORATION), SCHERING CORPORATION, AND
WARRICK PHARMACEUTICALS CORPORATION**

IT IS HEREBY STIPULATED AND AGREED, by and between plaintiff, the State of Iowa, and defendants Merck & Co., Inc. (f/k/a Schering-Plough Corporation), Schering Corporation, and Warrick Pharmaceuticals Corporation (collectively, "Settling Defendants"), by and through their respective attorneys, pursuant to Fed. R. Civ. P. 41 and the terms of the Settlement Agreement between the State of Iowa and the Settling Defendants, that all claims in this action against the Settling Defendants are dismissed with prejudice and without costs to any party.

Dated: November 18, 2011

Respectfully submitted,

By: /s/ Joanne M. Cicala

Joanne M. Cicala
Daniel Hume
Kirby McInerney LLP
825 Third Avenue
New York, NY 10022
212-371-6600

On Behalf of the State of Iowa

By: /s/ John P. Bueker

John P. Bueker
ROPES & GRAY LLP
800 Boylston Street
Boston, Massachusetts 02199-3600
(617) 951-7000

*On Behalf of Merck & Co., Inc. (f/k/a Schering-
Plough Corporation), Schering Corporation, and
Warrick Pharmaceuticals Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on November 18, 2011, I caused a true and correct copy of the foregoing Notice of Voluntary Dismissal With Prejudice of Plaintiff's Claims Against Defendants Merck & Co., Inc. (f/k/a Schering-Plough Corporation), Schering Corporation, and Warrick Pharmaceuticals Corporation, to be served on counsel of record for each party through the Court's Electronic Case Filing System and via LexisNexis File & Serve.

/s/ James Carroll
KIRBY McINERNEY LLP